

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHELLE M. MARCUM,

Plaintiff,

v.

TRINITY UNIVERSAL INSURANCE
COMPANY OF KANSAS,

Defendant.

NO: CV-11-5050-RMP

ORDER GRANTING AMTRUST
INSURANCE COMPANY OF
KANSAS' MOTION TO
SUBSTITUTE DEFENDANT

Before the Court is the Amtrust Insurance Company of Kansas' ("Amtrust") Motion to Substitute Defendant, ECF No. 10. After the Motion was filed, the Plaintiff stipulated to substitution of Amtrust in place of the above captioned defendant. ECF No. 15. The Court has reviewed the relevant pleadings and submissions in the file and is fully informed.

Plaintiff Michelle Marcum brought the instant action in state court seeking to recover under an insurance contract for fire losses. Amtrust has filed declarations with the Court asserting that the named Defendant, Trinity Universal

1 Insurance Company of Kansas, became Amtrust as the result of a corporate
2 merger.

3 Under Rule 25, the transferee of an interest may be substituted in the action
4 for the original party. Fed. R. Civ. P. 25(c). In light of the uncontested factual
5 assertions of Amtrust and the Agreement of the parties, the Court concludes that
6 substitution is appropriate in this case.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. Amtrust Insurance Company of Kansas' Motion to Substitute
9 Defendant, **ECF No. 10**, is **GRANTED**.

10 2. Amtrust Insurance Company of Kansas is hereby substituted as
11 Defendant for Trinity Universal Insurance Company of Kansas.

12 3. The District Court Executive shall change the caption in CM/ECF to
13 reflect the change.

14 4. The parties are directed to amend the caption of the pleadings to
15 reflect the newly-named Defendant for any subsequently filed pleadings. Trinity
16 Universal Insurance Company of Kansas shall not be listed as a party.

17 The District Court Executive is hereby directed to enter this Order and to
18 provide copies to counsel.

19 **DATED** this 15th day of July, 2011.

20 s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge

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